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SWANSON	, GUY J.	)		
Serial No. 10	)/659,564	)		
F1 1 C 4	1 0 2002	)		
Filed: Septe	ember 9, 2003	)		
Title: FERT OPENERS	ILIZER INJECTOR WING	FOR DISC)		

## **TRANSMITTAL**

Transmitted herewith is/are: <u>Information Disclosure Statement; Form 1449;</u> Attached References (29 References); and Return Postcard.

EV 342622450 US

Express Mail No.

Respectfully submitted,

HOVEY WILLIAMS LLP

Dated: May 17, 2004

Andrew G. Colombo, Reg. No. 40,565

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ATTORNEYS FOR APPLICANT

(Docket No. 34302)

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Application of: SWANSON, GUY J. Serial No.: 10/659,564 Filed: September 9, 2003 FERTILIZER INJECTOR WING FOR DISC OPENERS Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Transmitted herewith is a list on Form PTO-1449 of patents, publications, or other information submitted by the applicants for consideration by the Office pursuant to the duty of disclosure under 37 CFR 1.56, together with legible copies of each of the non-patent documents to the extent clean copies are available.

It is respectfully submitted that the present invention as claimed is patentable over the listed references.

Any fee which might be due in connection with this Disclosure Statement should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

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# U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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ATTY.	DOCKET	NO.

SERIAL NO.

34302

10/659,564

APPLICANT: SWANSON, GUY J.

FILING DATE: September 9,

GROUP: 3671

# U.S. PATENT DOCUMENTS

EXAM. INITIAL					ENT I	NUM	BER		DATE NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
		1	8	5	7	7	4	9	5/32	White			
		2	0	0	1	S	C	3	5/35	Tuft			
		2	0	5	8	5	3	9	10/36	Welty et al.			
		2	6	2	3	4	8	3	12/52	Stevenson			
		2	7	7	9	2	6	3	1/57	Franz et al.			
		2	9	2	б	5	8	7	1/60	Shriver			
		2	9	6	8	2	5	5	01/17/61	Loeber			
		3	3	6	2	3	6	1	1/68	Morrison, Jr			
		3	5	1	2	4	8	9	5/70	Coldren et al.			
		3	5	5	6	0	2	7	01/19/71	Ammann			
		3	7	3	6	8	9	0	6/73	Barnes			
		3	8	5	4	4	2	9	12/17/74	Blair			
		3	9	8	8	5	6	7	9/75	Brannan			
		3	9	7	8	6	8	1	09/07/76	Kjelgaard et al.			
		4	0	4	4	6	9	7	8/77	Swanson			
		4	0	6	9	0	2	9	01/17/78	Hudson			
		4	1	1	6	1	3	9	09/26/78	Sauer			
		4	1	4	1	6	7	6	02/27/79	Jannen et al.			
		4	1	7	5	3	9	4	11/79	Wiesboeck			
		4	1	9	6	6	7	7	04/08/80	Siebert			
		4	3	3	3	5	3	4	6/82	Swanson et al.			
		4	3	4	1	1	6	8	07/27/82	Seibert			
		4	3	6	4	4	0	9	12/21/82	Jones			
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	.,	4	4	2	2	3	9	2	12/83	Dreyer et al.			
		4	4	3	2	6	5	1	02/21/84	McLeod			
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		4	4	5	8	6	0	9	7/84	Tofte			
		4	5	2	0	7	4	2	6/85	Anderson			
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# FOREIGN PATENT DOCUMENTS

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- 01	HER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	Pub No. 2003/0015328 entitled DISC OPENER ASSEMBLY FOR A SEED PLANTER, Pub. Date 01/23/03, Prairie et al.
	Pub No. 2002/0166486 entitled DISC OPENER ASSEMBLY FOR A SEED PLANTER, Pub. Date 11/14/02, Prairie et al.
	Pub No. 2003/0015328 entitled DISC OPENER ASSEMBLY FOR A SEED PLANTER, Pub. Date 01/23/03, Prairie et al.
	Pub No. 2002/0144637 entitled MATERIAL DECELERATOR FOR AN AIR DELIVERY SYSTEM, Pub. Date 10/10/02, Wendling et al.
	Copy of excerpts from John Deere Air Seeding Equipment catalog (pages 12-13, print date unknown) showing prio art 1890 No-Till Air Drill.
	Successful Farming, Jan. 2003, Rich Fee, Crops and Soils Editor, New Nh <sub>3</sub> Manifolds Do Better, pp. 46 and 48.
	P.M. Boyd et al., Field corn tests to examine anhydrous ammonia manifold variability, paper presented at 2002 ASAE Annual International Meeting, July 28-31, 2002.
	P.M. Boyd et al., Field evaluation of anhydrous ammonia manifold performance and variability, paper presented at 2002 ASAE Annual International Meeting, July 28-31, 2002.
	H.I. Fraser, The Trangie Rotaflow - Anhydrous ammonia distribution technology, product information from H.I. Fraser Pty Ltd web site, printed from http://www.hifraser.com/Images&files/pdffiles/rotaflow.PDF in February 2003.
	H.I. Fraser, The Trangie Rotaflow - Anhydrous ammonia distribution technology, product information from H.I. Fraser Pty Ltd web site, printed from http://www.hifraser.com/Images&files/pdffiles/nh3specs.PDF in February 2003.
	History of the U.S. Fertilizer Industry, Lewis B. Nelson, 1990, Tennessee Valley Authority, pp. 324-333 and 361-365.
	Indiana Agricultural Ammonia Law, Purdue University, West Lafayette, Indiana, (Published at least as early as Sept. 4, 2001).
	Continental NH3 Products, Installation Instructions, Vertical Dam Manifold, (Published at least as early as Sept. 4, 2001).
	Raven Industries, Accu-Flow Attachment, Form FCD5M497, (Published at least as early as Sept. 4, 2001).
	Dickey-John Corp., PCS Precision Control System, Form 110701-0231, (Published at least as early as Sept. 4, 2001).
	Squibb-Taylor, Anhydros Ammonia (NH3) Equipment, Catalog AA-98, (Published at least as early as Sept. 4, 2001).
	Micro-Trak Systems, Inc., NH3 Kit, (Published at least as early as Sept. 4, 2001).
	Spraying Systems Co., Agricultural Spray Products Catalog, 45A, (Published at least as early as Sept. 4, 2001).
	Bumper Times, Jan./Feb. vol.16, Guy J. Swanson, Pub., p. 6, (Published at least as early as Sept. 4, 2001).
	Successful Farming, Sept. 1998, Rich Fee, Crops and Soils Editor, <i>Taking Nitrogen Calibration to the Field</i> , pp. 44-46 and 48.
	Successful Farming, Sept. 1997, Rich Fee, Crops and Soils Editor, Outdated Manifolds Sabotage Nitrogen Application, pp. 50-55.
	Successful Farming, Nov. 1997, Rich Fee, Crops and Soils Editor, Here's How to Calibrate NH3 Applicators, pp. 44 and 46.

 Successful Farming, Oct. 1998, Rich Fee, Crops and Soils Editor, New NH3 Equipment Promises Greater Accuracy, pp. 38 and 40.
Westco, Westco Guidelines, Applying Nh3 at Seeding. Oct. 1, 1998, Thom Weir and John Harapiak.
Spraying Systems Co., Spray Controls Solutions Catalog 802, p. 25, (Published at least as early as Sept. 4, 2001).
RAVEN Industries, SCS440, SPRAYER CONTROL SYSTEMS, Sales flier, (Published at least as early as Sept. 4, 2001).
 Case/Concord, Product Line Air Till Drill Systems, Form AE-170086, (Published at least as early as Sept. 4, 2001).
Thurston Manufacturing Co., BLU-JET GDI 200, Form 5497/15m/2-96/ABP, (Published at least as early as Sept. 4, 2001).
Dempster Industries Inc. Owners Manual Model B-4, Form 3018, (Published at least as early as Sept. 4, 2001).
John Blue, THE PUMP COMPANY, Catalog 100cat9/94, (Published at least as early as Sept. 4, 2001).
Horvick Manufacturing, 1998 Parts and Sales Catalog, pp. 181 to 200, (Published at least as early as Sept. 4, 2001).
Continental NH3 Products Co. Inc., EQ-2000 EQUALIZER, FULL RANGE HIGH CAPACITY HEAT EXCHANGER WITH METER MATIC, (Published at least as early as Sept. 4, 2001).
EXACTRIX GLOBAL SYSTEMS LLC, Installation , Service, and Parts Guide, Form 998A, October 6, 1998.

EXAMINER: Initial if citation considered, whether not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.